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PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 2nd June 1960

G.S.R. 635.—In exercise of the powers conferred by clause (a) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Law S.R.O. No. 3920 dated the 5th December 1957, namely:—

In the Schedule to the said notification under item 12 relating to Uttar Pradesh for the existing entry in the second column against part (c) in the first column, the following entries shall be substituted, namely:—

- “(i) District Government Counsel.
- (ii) Additional District Government Counsel.
- (iii) Assistant District Government Counsel.
- (iv) Sub-District Government Counsel.”

[No. 51(2)/57-J.]

R. S. GAE, Joint Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 31st May 1960

G.S.R. 636.—In pursuance of rule 11 of the Indian Administrative Service (Pay) Rules, 1954, the Central Government, after consultation with the State Governments concerned, hereby makes the following amendments in schedule III, appended to the said Rules.

2. The amendments shall be deemed to have come into force on the 20th April, 1960.

Amendment

In said Schedule III,

(1) Under the heading “A-Posts carrying pay above the time-scale pay in the Indian Administrative Service under the State Governments,”

- (i) against “Assam” for the entries “Member, Revenue Tribunal”, the following shall be substituted:—

“Member, Board of Revenue”.

- (ii) against "Punjab" after the words 'Financial Commissioner' the brackets and letter "(S)" shall be added.
- (iii) against "Uttar Pradesh" for the entries "Land Reforms Commissioner" 2250"
the following shall be substituted:—
"Judicial Members, Board of Revenue 2250
Commissioner for Consolidation 2250"
- (iv) against "West Bengal" the following entries shall be deleted:—
"Land Reforms Commissioner 2250"
- (2) Under the heading "B-Posts carrying pay in the senior time-scale of the Indian Administrative Service under the State Governments including posts carrying special pays in addition to pay in the time-scale",
- (i) against "Assam" for the entries "Secretary(ies) to Government" Head(s) of Department(s), and Additional and Joint Secretary(ies) to Government"
the following shall be substituted:—
"Secretary(ies), Additional Secretary(ies) and Joint Secretary(ies) to Government.
Chief Electoral Officer.
Registrar of Co-operative Societies.
Commissioner of Excise.
State Transport Commissioner.
Relief & Rehabilitation Commissioner"
The letters and brackets "(s)" and "(ies)" occurring in the entries "Additional District Magistrate(s)" and "Deputy Secretary(ies) to Government", respectively, shall be deleted.
- (ii) against "Bihar" the following entries shall be inserted:—
"Deputy or Joint-Development Commissioner
Deputy or Joint Registrar, Co-operative Societies.
Deputy or Joint Labour Commissioner".
- (iii) against "Kerala" for the entries "Director of Industries.
Director of Transport.
Director of Local Bodies".
the following shall be substituted:—
"Director of Industries & Commerce.
Director of Government Industries.
Joint Development Commissioner".
The letters and brackets "(ies)" occurring in the entries "Additional Secretary(ies) to Government" shall be deleted.
- (iv) against "Punjab" for the entries "Joint Secretary/Deputy Secretary to Government, Finance Department".
the following shall be substituted:—
"Joint Secretary to Government, Finance Department.
Director General, Small Savings.
Agrarian Reforms Officer-cum-Additional Secretary to Government Revenue Department.
Joint Director of Industries.
Estate Officer".
- (v) against "Uttar Pradesh" for the entries
"Excise Commissioner.
Chairman and Member(s), Labour Tribunals.
Deputy Labour Commissioner".
the following shall be substituted:—
"Secretary, Board of Revenue.

Excise Commissioner and Commissioner for Prohibition.
 Director, Government Cement Factory.
 Additional Labour Commissioner.
 Settlement Commissioner.
 Transport Commissioner.
 Deputy Transport Commissioner (Administration).
 Principal, Officers Training School.
 Director of Panchayats".

The letter and brackets "(S)" occurring in the entries "Settlement Officer (S)" shall be deleted.

(vi) against "West Bengal" the following entries shall be inserted:—
 "Director of Public Vehicles Department".

[No. 1/76/60-AIS(II).]

New Delhi, the 3rd June, 1960

G.S.R. 637.—In pursuance of rule 11 of the Indian Police Service (Pay) Rules, 1954, the Central Government, after consultation with the State Governments concerned, hereby makes the following amendments in Schedule III appended to the said Rules.

2. The amendments shall be deemed to have come into force on the 1st May 1960.

Amendments

In the said Schedule III,

(1) Under the heading "A—Posts carrying pay above the time-scale pay of the Indian Police Service under the State Governments"—

(i) for the entries relating to "Bombay" the following shall be substituted, namely:—

Gujarat	Inspector General of Police	1850—100—2250
	Commissioner of Police	1650—75—1950
	Deputy Inspector (s) General of Police	1450—50—1650"

(ii) after the entries relating to "Madras" the following shall be inserted, namely:—

"Maharashtra	Inspector General of Police	1850—100—2250
	Commissioner of Police	1650—75—1950
	Deputy Inspector(s) General of Police	1450—50—1650"

(2) Under the heading "B—Posts carrying pay in the senior time-scale of the Indian Police Service under the State Governments including posts carrying special pays in addition to pay in the time-scale"—

(i) for the entries relating to "Bombay" the following shall be substituted, namely:—

"Gujarat	Deputy Commissioner(s) of Police.
	Assistant Inspector General of Police.
	Assistant Deputy Inspector(s) General of Police, Criminal Investigation Depart- ment.
	Superintendent(s) of Police.
	Superintendent of Police, Railway.
	Principal, Police Training School.
	Commandant(s) State Reserve Constabulary".

(u) after the entries relating to "Madras" the following shall be inserted, namely:—

"Maharashtra . . . Deputy Commissioner(s) of Police.
 Assistant Inspector General of Police.
 Assistant Deputy Inspector(s) General
 of Police, Criminal Investigation De-
 partment,
 Superintendent(s) of Police,
 Superintendent(s) of Police, Railway.
 Additional Superintendent(s) of Police
 Principal, Police Training School.
 Commandant(s), State Reserve Constabu-
 lary."

[No 1/83/60-AIS(II).]

S NARAYANSWAMY, Dy Secy.

New Delhi, the 2nd June, 1960

G.S.R. 638.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi, the Bombay Prevention of Begging Act, 1959 (Bombay Act No X of 1960) as at present in force in the State of Maharashtra, subject to the following modifications, namely:—

Modifications

1. Throughout the Act, except as hereinafter provided, for the expression "State Government", the expression "Chief Commissioner" shall be substituted; and there shall also be made in any sentence in which that expression occurs such consequential amendments as the rules of grammar may require

2 For sub-sections (2), (3) and (4) of section 1, the following sub-sections shall be substituted, namely:—

"(2) It extends to the whole of the Union territory of Delhi

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Delhi Gazette, appoint"

3 In section 2—

(a) in clause (i) of sub-section (1), for the words "in Greater Bombay by the Commissioner of Police, and elsewhere by the District Magistrate, or in any part of the State by the State Government" occurring at the end, the words "by the Deputy Commissioner or such other officer as may be specified in this behalf by the Chief Commissioner" shall be substituted,

(b) after clause (ii) of sub-section (1), the following clause shall be inserted, namely:—

"(ii-a) 'Chief Commissioner' means the Chief Commissioner of Delhi,"

(c) for clauses (iv), (v) and (vi) of sub-section (1), the following clauses shall be substituted, namely:—

"(iv) 'child' has the meaning assigned to it in the Children Act;

(v) 'Children Act' means the law for the time being in force in the Union territory of Delhi relating to neglected or delinquent children and providing for their care, protection and other matters;

(vi) 'Court' means any Court exercising criminal jurisdiction in the area in which this Act is in force;"

(d) sub-section (2) shall be omitted

4 In section 3, the words "a Presidency Magistrate" shall be omitted and for the words "a Juvenile Court", the words "a Court constituted under the Children Act" shall be substituted

5 In sections 4(3) and 9(3), the words "or section" shall be omitted.

6. In section 5, for sub-section (9), the following sub-section shall be substituted, namely:—

“(9) Notwithstanding anything in this section, when the person found to be a beggar as aforesaid is a child who is not under the age of five years, the Court shall not make any order under sub-section (5) but forward the child to a Court constituted under the Children Act for being dealt with under that Act. For the purpose of ascertaining the age of the person, the Court may, if necessary, cause the beggar to be examined by a medical officer.”

7. In section 9, sub-section (2), for the portion other than the proviso, the following shall be substituted, namely:—

“(2) Where the dependent person is a child, the Court shall forward him to a Court constituted under the Children Act for being dealt with thereunder:”

8. In section 15—

(a) in sub-section (1), the words, brackets and figures “for any area in which this Act has come into force in the manner provided in sub-section (3) of section 1” shall be omitted;

(b) in the proviso to sub-section (1), the words “for such area” shall be omitted;

(c) in sub-section (2), the words “in any local area” and the words “from that area” shall be omitted;

(d) in sub-section (3)—

(i) in clause (b), the words “within the local area, or in which beggars from that area, are detained” shall be omitted;

(ii) in clause (c), the words “within the local area” shall be omitted; and

(iii) in clause (d), the words “in that area” shall be omitted.

9. In section 16—

(a) in sub-section (1), for the words “State Government”, the words “Central Government” shall be substituted; and

(b) in sub-section (2), for the words “State Government” occurring for the second time, the words “Central Government” shall be substituted.

10. In section 18, for the words “the State Legislature” the word “Parliament” shall be substituted.

11. In section 21, sub-section (1), for the word “State”, the words “Union territory of Delhi” shall be substituted.

12. In section 28, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Chief Commissioner may direct any person detained in a Certified Institution to be transferred therefrom to any Institution of a like nature in any other part of India in respect of which provision similar to that in the Union territory of Delhi is made by the Government of that part under any law in force therein:

Provided that no person shall be transferred under this section to any part of India without the consent of the State Government in the case of a State and the Administrator in the case of a Union territory.”

13. In section 29, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Every person ordered to be detained in a Certified Institution under this Act shall at any time allow his finger-prints to be taken by the District Magistrate or any Officer empowered by him in this behalf.”

14. In section 35—

(a) in sub-section (1), for the words “Official Gazette”, the words “Delhi Gazette” shall be substituted;

- (b) in clause (f) of sub-section (2), for the words "Advisory Committee", the words "the Advisory Committee" shall be substituted; and
- (c) sub-section (3) shall be omitted.

15. In section 36, for the words "Official Gazette", the words "Delhi Gazette" shall be substituted.

16. The Schedule shall be omitted.

ANNEXURE

The Bombay Prevention of Begging Act, 1959, as extended to the Union territory of Delhi.

BOMBAY ACT No. X OF 1960

An Act to consolidate and amend the law relating to beggars for the purpose of making uniform and better provision for the prevention of begging in the State of Bombay and for matters connected therewith.

Whereas it is expedient to make uniform and better provision for the prevention of begging in the State of Bombay; for the detention, training and employment of beggars and their dependants in certain institutions; for the custody, trial and punishment of beggar offenders; and for these and other purposes to consolidate and amend the law relating to beggars. It is hereby enacted in the Tenth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title, extent, commencement and repeal of corresponding laws and provisions.*—(1) This Act may be called the Bombay Prevention of Begging Act, 1959.

(2) It extends to the whole of the Union territory of Delhi.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Delhi Gazette, appoint.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires—

(i) "begging" means—

- (a) soliciting or receiving alms in a public place, whether or not under any pretence such as singing, dancing, fortune-telling, performing or offering any article for sale;
- (b) entering on any private premises for the purpose of soliciting or receiving alms;
- (c) exposing or exhibiting, with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease whether of a human being or animal;
- (d) having no visible means of subsistence and, wandering about or remaining in any public place in such condition or manner, as makes it likely that the person doing so exists by soliciting or receiving alms;
- (e) allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms;

but does not include soliciting or receiving money or food or gifts for a purpose authorised by any law, or authorised in the manner prescribed by the Deputy Commissioner or such other officer as may be specified in this behalf by the Chief Commissioner.

(ii) "Certified Institution" means any institution which the Chief Commissioner provides and maintains for the detention, training and employment of beggars and their dependants, and includes an institution certified to be such under sub-section (1) of section 13;

(ii-a) 'Chief Commissioner' means the Chief Commissioner of Delhi;

(iii) "Chief Inspector" means the person appointed to be the Chief Inspector of Certified Institutions under sub-section (1) of section 17, and includes an Additional Chief Inspector appointed under that section;

(iv) 'child' has the meaning assigned to it in the Children Act,

(v) 'Children Act' means the law for the time being in force in the Union territory of Delhi relating to neglected or delinquent children and providing for their care, protection and other matters,

(vi) "Court" means any Court exercising criminal jurisdiction in the area in which this Act is in force,

(vii) "prescribed" means prescribed by rules made under this Act,

(viii) "Probation Officer" means an officer appointed to be a Probation Officer under sub-section (1) of section 17,

(ix) "public place" includes a railway compartment,

(x) "Receiving Centre" means an institution for the reception and temporary detention of beggars provided by the Chief Commissioner, or certified to be such under sub-section (1) of section 12,

(xi) "Superintendent" means a Superintendent of a Receiving Centre or a Certified Institution, as the case may be

(2) * * * * *

CHAPTER II

PROCEDURE FOR DEALING WITH BEGGARS AND BEGGARS OFFENDERS

3 *Powers of Courts*—The powers conferred on courts by this Act shall be exercised only by the High Court, a Court of Session, a Magistrate of the first class, a Court constituted under the Children Act, or any other Court exercising criminal jurisdiction in the area, and may be exercised by such courts whether the case comes before them originally or on appeal or revision

4 *Power to require person found begging to appear before Court*.—(1) Any police officer, or other person authorised in this behalf in accordance with rules made by the Chief Commissioner, may arrest without a warrant any person who is found begging

Provided that, no person entering on any private premises for the purpose of soliciting or receiving alms shall be so arrested or shall be liable to any proceedings under this Act, except upon a complaint by the occupier of the premises

(2) Such police officer or other person shall take or send the person so arrested to a Court

(3) The provisions of section 61 of the Code of Criminal Procedure, 1898, (V of 1898) shall apply to every arrest under this section, and the officer in charge of the police station shall cause the arrested person to be kept in the prescribed manner until he can be brought before a Court

5 *Summary inquiry in respect of persons found begging and their detention*—

(1) Where a person who is brought before the Court under the last preceding section is not proved to have previously been detained in a Certified Institution under the provisions of this Act, the Court shall make a summary inquiry, in the prescribed manner, as regards the allegation that he was found begging.

(2) If the inquiry referred to in sub-section (1) cannot be completed forthwith, the Court may adjourn it from time to time and order the person to be remanded to such place and custody as may be convenient

(3) If on making the inquiry referred to in sub-section (1), the Court is not satisfied that the person was found begging, it shall order that such person be released forthwith

(4) If on making the inquiry referred to in sub-section (1), the court is satisfied that such person was found begging, it shall record a finding that the person is a beggar.

(5) The Court shall order the person found to be a beggar under the last preceding sub-section to be detained in a Certified Institution for a period of not less than one year, but not more than three years :

Provided that, if the Court is satisfied from the circumstances of the case that the person found to be a beggar as aforesaid is not likely to beg again, it may after due admonition release the beggar on a bond for the beggar's abstaining from begging and being of good behaviour, being executed with or without sureties as the Court may require by the beggar or any other person whom the Court considers suitable.

(6) In passing any order under the provisions of this Act, the Court shall have regard to the following considerations, that is to say—

- (a) the age and character of the beggar,
- (b) the circumstances and conditions in which the beggar was living,
- (c) reports made by the Probation Officer, and
- (d) such other matters as may, in the opinion of the Court, require to be taken into consideration in the interest of the beggar.

(7) The report of the Probation Officer or any other report considered by the Court under the sub-section immediately preceding, shall be treated as confidential:

Provided that if such report relates to the character, health or conduct of, or the circumstances and conditions in which, the beggar is living the Court may, if it thinks expedient, communicate the substance thereof to the beggar or (in case of dependants) to the guardian concerned, and may give the beggar or the guardian, as the case may be, an opportunity of producing evidence which may be relevant to the matters stated in the report.

(8) A copy of the order made under sub-section (5) shall be sent forthwith to the Chief Inspector.

(9) Notwithstanding anything in this section, when the person found to be a beggar as aforesaid is a child who is not under the age of five years, the Court shall not make any order under sub-section (5) but forward the child to a Court constituted under the Children Act for being dealt with under that Act. For the purpose of ascertaining the age of the person, the Court may, if necessary, cause the beggar to be examined by a medical officer.

6. Penalty for begging after detention as beggar.—(1) Whoever, having been previously detained in a Certified Institution under this Act is found begging, shall on conviction be punished as hereinafter in this section provided.

(2) When a person is convicted for the first time under sub-section (1) the Court shall order him to be detained in a Certified Institution for a period of not less than two years and not more than three years.

(3) When a person is convicted for the second or subsequent time under sub-section (1), the Court shall order him to be detained for a period of ten years in a Certified Institution, and may convert any period of such detention (not exceeding two years) into a sentence of imprisonment extending to a like period.

7. Offences to be tried summarily.—All offences under this Act except those under section 11 shall be tried in a summary way

8. Contribution of parents.—(1) The court, which makes an order for the detention of any person in a Certified Institution under section 5 or section 6, may make an order on the parent or other person liable to maintain him, to contribute to his maintenance, if able to do so, in the manner prescribed.

(2) Before making any such order the Court shall inquire into the circumstances of the parent or other person liable to maintain him, and shall record evidence, if any, in the presence of the parent or such other person, as the case may be.

(3) Any order made under this section may on an application, made by the party liable, or otherwise, be varied by the Court.

(4) Any order made under this section may be enforced in the same manner as an order under section 488 of the Code of Criminal Procedure, 1898 (V of 1898).

9. Court may order detention of persons wholly dependent on beggar.—(1) When the Court has ordered the detention of a person in a Certified Institution under section 5 or section 6 it may, after making such inquiry as it thinks fit, order

any other person who is wholly dependent on such person to be detained in a Certified Institution for a like period:

Provided that before such order is made such dependent person shall be given an opportunity of showing cause why it should not be made.

(2) Where the dependent person is a child, the Court shall forward him to a Court constituted under the Children Act for being dealt with thereunder:

Provided that where the dependent person is the beggar's own child, being a child who is under the age of five years, and the beggar is an able bodied mother, not being a contagious leper or lunatic, the child may be ordered to be detained in a Certified Institution without being separated from the mother as regards the place of detention, until it attains the age of five years, and thereafter dealt with as provided in this sub-section.

(3) For the purpose of this section, the court may if necessary cause the dependent person to be arrested and brought before itself and caused to be examined by a medical officer. The provisions of section 61 of the Code of Criminal Procedure, 1898 (V of 1898) shall apply to every arrest under this sub-section, and the officer in charge of the police station shall cause the arrested person to be kept in the prescribed manner until he can be brought before a Court.

10. *Powers of State Government to order further detention of incurably helpless beggars.*—When any person who is detained in a Certified Institution under section 5 or section 6 or section 9 is considered, whether on an application made by him to the Chief Commissioner or otherwise, by the Chief Commissioner to be blind, a cripple, or otherwise incurably helpless, the Chief Commissioner may order that he shall, after the expiry of the period of his detention be further detained indefinitely in a Certified Institution:

Provided that the Chief Commissioner may release any such inmate if any person whom the Chief Commissioner considers suitable executes a bond, with or without sureties as the Chief Commissioner may require, making himself responsible for the housing and maintenance of such inmate, and for preventing him from begging or being used for the purpose of begging.

11. *Penalty for employing or causing persons to beg or using them for purposes of begging.*—Whoever employs or causes, any person to solicit or receive alms, or whoever having the custody, charge or care of a child, connives at or encourages the employment or the causing of a child to solicit, or receive alms or whoever uses another person as an exhibit for the purpose of begging, shall on conviction be punished with imprisonment for a term which may extend to three years but which shall not be less than one year.

CHAPTER III

RECEIVING CENTRES AND CERTIFIED INSTITUTIONS

12. *Provision of Receiving Centres.*—(1) The Chief Commissioner may provide and maintain one or more Receiving Centres at such place or places as it thinks fit, and may certify any institution to be a Receiving Centre for the purposes of this Act.

(2) Every such Receiving Centre shall be under the control of a Superintendent.

13. *Provision of Certified Institutions.*—(1) The Chief Commissioner may provide and maintain one or more Certified Institutions at such place or places as he thinks fit, and may certify any institution to be a Certified Institution for the purposes of this Act. Any such Certified Institution may include provision for the teaching of agricultural, industrial and other pursuits, and for the general education and medical care of the inmates.

(2) Every such Certified Institution shall be under the charge of a Superintendent.

14. *Visiting Committees.*—For every Receiving Centre and every Certified Institution, the Chief Commissioner shall appoint a visiting committee in such manner as may be prescribed.

15 *Advisory Committees*—(1) The Chief Commissioner may constitute an Advisory Committee consisting of such persons, not exceeding twenty-one in number, as he may appoint:

Provided that, where a local authority has agreed to render such financial assistance as the Chief Commissioner may consider proper in each case, for the maintenance of Certified Institutions in which beggars from the area subject to the jurisdiction of the local authority are detained, the Chief Commissioner shall appoint such number of persons as he deems fit on the Advisory Committee representing the local authority.

(2) The Advisory Committee constituted under sub-section (1) or any member thereof, may visit at all reasonable times and after due notice to the Superintendent, any Certified Institution in which beggars are detained

(3) The Advisory Committee may also—

- (a) tender advice as regards management, to any Certified Institution through the Chief Inspector or such other officer as the Chief Commissioner may specify,
- (b) collect subscriptions towards the recurring as well as non-recurring expenses of any or all Certified Institutions and disburse the collections in the prescribed manner;
- (c) advise the Chief Commissioner, through the Chief Inspector, as regards the certification of any Institution as a Certified Institution or the de-certification of any Certified Institution;
- (d) advise the Chief Commissioner generally on the working of this Act, and particularly on any point referred to it by the Chief Inspector or any other officer specified by the Chief Commissioner

16 *Payment of contribution by local authorities and recovery thereof*—(1) Notwithstanding anything contained in any law for the time being in force, any local authority which has agreed to pay a certain sum of money for the maintenance of a Certified Institution shall make payment of that sum to the Central Government before a date prescribed in that behalf

(2) If any sum is not paid by a local authority before the prescribed date, the Chief Commissioner may make an order directing any person who for the time being has custody of any moneys on behalf of the local authority as its officer, treasurer, banker or otherwise to pay the sum from such moneys as he may have in his hands or may from time to time receive, to the Central Government, and such person shall be bound to obey such order. Every payment made pursuant to such order shall be sufficient discharge to such person from all liability to the local authority in respect of any amount paid by him out of the moneys of the local authority so held by him

17 *Appointment of Chief Inspector, Additional Chief Inspector, Inspectors, Assistant Inspectors and Probation Officers*—(1) For carrying out the purposes of this Act, the Chief Commissioner may appoint a Chief Inspector of Certified Institutions, an Additional Chief Inspector of Certified Institutions, an Inspector and such number of Assistant Inspectors and Probation Officers as he thinks advisable to assist the Chief Inspector, and every person so appointed to assist the Chief Inspector shall have such of the powers, and perform such of the duties, of the Chief Inspector as the Chief Commissioner directs but shall act under the direction of the Chief Inspector

(2) Every Receiving Centre and Certified Institution shall, at least once in every six months, be inspected by the Chief Inspector, Inspector, Assistant Inspector or a Probation Officer

18 *Search in receiving Centres and Certified Institutions*—The Superintendent of a Receiving Centre or a Certified Institution may order that any person received in the Receiving Centre or Certified Institution shall be searched, that he shall be cleansed, that his personal effects shall be inspected, and that any money or valuables found with or on the person shall be kept in the custody of such Superintendent, and that any effects other than money or valuables so found shall be disposed of in the prescribed manner. Where an order of detention is passed by the court against any such person, the Superintendent may order that any money or valuables found with or on the person shall be disposed of in the prescribed manner. Where the court passes an order other than an order of detention with regard to any such person, his money and valuables shall be

returned to him, and if his clothing has been destroyed, he shall be provided with fresh clothing. The expenses of providing such clothing shall be paid out of moneys provided by the Parliament:

Provided that a female shall be searched only by a female, and with due regard to decency.

19. Management and discipline.—Persons remanded to, or detained in, Receiving Centres and Certified Institutions under this Act shall be subject to such rules of management and discipline, including the imposition of manual or other work and the awarding of punishment for breach of any such rules, as may, from time to time, be prescribed.

20. Disciplinary imprisonment.—(1) Without prejudice to any disciplinary action that may be taken under the section immediately preceding, the Chief Inspector, the Inspector or Superintendent may report to the court the case of any person detained in a Certified Institution who habitually and wilfully disobeys or neglects to comply with any rule referred to in that section; and the court may thereupon, if satisfied that the person has wilfully disobeyed or neglected to comply with any such rule, convert the balance of the period of his detention in a Certified Institution or part thereof into a term of imprisonment.

(2) The sentence of imprisonment ordered as aforesaid shall be executed in the same manner as a sentence passed under section 6.

21. Transfer from one Receiving Centre or Certified Institution to another.—(1) Subject to conditions prescribed, the Chief Inspector may direct any person detained in a Receiving Centre or Certified Institution to be transferred therefrom to another Receiving Centre or Certified Institution in the Union Territory of Delhi.

Provided that the total period of detention of such person shall in no case be increased by such transfer.

(2) In directing such transfer the Chief Inspector shall have regard to the medical certificate and the directions, if any, made by the Chief Commissioner or court under section 26.

22. Release on licence.—(1) Subject to such conditions as are prescribed,—

(a) the Chief Inspector or the Superintendent of the Certified Institution may at any time grant permission to a person detained in a Certified Institution to absent himself for short periods, and

(b) the Chief Inspector may at any time release such person conditionally and issue him a licence therefor.

(2) Any such licence shall be in force until the expiry of the term for which the person was ordered to be detained in a Certified Institution, unless sooner revoked.

(3) The period during which such person is absent from a Certified Institution by permission or by licence as aforesaid shall, for the purpose of computing his term of detention in a Certified Institution, be deemed to be part of his detention.

23. Revocation of licence.—(1) Subject to such conditions, as are prescribed, the Chief Inspector may at any time revoke a licence issued under section 22, and thereupon the released person shall be detained in a Certified Institution until the expiry of the term for which he had been ordered to be detained

(2) For the purpose of this section the Chief Inspector may, if necessary, cause the released person to be arrested and sent to the nearest Receiving Centre together with a copy of the order of detention, and thereupon the provisions of sub-section (1) of section 25 shall as far as may be apply.

24. Unconditional release.—At any time after the expiration of three months from the commencement of the release on licence of any person under section 22, the Chief Inspector may, if he is satisfied that there is a probability that such person will abstain from begging, recommend to the Chief Commissioner his unconditional release. The Chief Commissioner may on such recommendation release such person unconditionally, and thereupon the term for which such person had been ordered to be detained in a Certified Institution shall be deemed to have expired.

CHAPTER IV

MISCELLANEOUS

25. *Procedure on order of detention or sentence of imprisonment.*—(1) Subject to the provisions of sub-section (2), when a person has been ordered to be detained in a Certified Institution under section 5 or section 6 or section 9, the court which ordered the detention shall forthwith forward him to the nearest Receiving Centre with a copy of the order of detention. The person shall thereupon be handed over into the custody of the Superintendent of the Receiving Centre and shall be detained in the Receiving Centre until he is sent therefrom to a Certified Institution.

(2) When any such person has also been sentenced to imprisonment, the court passing the sentence of imprisonment shall forthwith forward a warrant to a jail in which he is to be confined and shall forward him to such jail with the warrant together with a copy of the order of detention. After the sentence of imprisonment is fully executed, the Officer executing it shall, if detention in a Certified Institution for any period remains to be undergone by such person, forward him forthwith together with the copy of the order of detention to the nearest Receiving Centre, and thereupon the provisions of sub-section (1) shall as far as may be apply.

(3) In computing the period for which a person is ordered to be detained in a Certified Institution, there shall be included the period for which he is detained in a Receiving Centre under this section.

26. *Medical examination and detention of leprosy patients and lunatics.*—(1) Where it appears to the Chief Commissioner that any beggar detained in a Certified Institution under any order of a court is of unsound mind or a leper, the Chief Commissioner may by an order setting forth the grounds of belief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, there to be kept and treated as the Chief Commissioner directs during the remainder of the term for which he has been ordered to be detained or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharge according to law.

(2) Where it appears to the Chief Commissioner that the beggar has ceased to be of unsound mind, or is cured of leprosy, the Chief Commissioner shall, by an order directed to the person having charge of the beggar if still liable to be kept in custody send him to the Certified Institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged.

(3) The provisions of section 31 of the Indian Lunacy Act 1912, (IV of 1912) or [subject to the provisions of sub-section (2)] of section 14 of the Lepers Act, 1898, (III of 1898) shall apply to every beggar confined in a mental hospital or leper asylum under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained:

Provided that where the removal of a beggar due to unsoundness of mind or leprosy is immediately necessary, it shall be open to the authorities of the Institution in which the beggar is detained to apply to a court having jurisdiction under the Indian Lunacy Act, 1912, (IV of 1912), or the Lepers Act, 1898, (III of 1898): as the case may be, for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the Chief Commissioner be obtained in the matter.

27. *Arrest of person escaping from Receiving Centre or Certified Institution.*—Any person who leaves a Receiving Centre or a Certified Institution without the permission of the Superintendent thereof, or fails to return thereto after the expiry of the period of absence permitted under sub-section (1) of section 22, may be arrested by any police officer without warrant or by an officer of the Receiving Centre or Certified Institution authorised in this behalf by the State Government and sent back to the Receiving Centre or Certified Institution, as the case may be.

28. *Transfers between Certified Institution and Institution of like nature in different parts of India.*—(1) The Chief Commissioner may direct any person detained in a Certified Institution to be transferred therefrom to any Institution of a like nature in any other part of India in respect of which provision similar to that in the Union territory of Delhi is made by the Government of that part under any law in force therein;

Provided that no person shall be transferred under this section to any part of India without the consent of the State Government in the case of a State and the Administrator in the case of a Union territory.

(2) The Chief Commissioner may, in consultation with the Superintendent of any Certified Institution, consent to the transfer to that Institution of any person in respect of whom an order of detention has been made by a competent authority in any other part of India of the nature of an order under this Act directing him to be detained in a Certified Institution or institution of a like nature and upon such transfer, the provisions of this Act shall apply to such person.

29. *Power to the finger prints.*—(1) Every person ordered to be detained in a Certified Institution under this Act shall at any time allow his finger-prints to be taken by the District Magistrate or any Officer empowered by him in this behalf.

(2) Whoever refuses to allow his finger prints to be taken under sub-section (1) shall on conviction be liable to have his period of detention in a Certified Institution not exceeding three months converted to a term of imprisonment extending to a like period.

(3) The sentence of imprisonment ordered under sub-section (2) shall be executed in the same manner as a sentence passed under section 6.

30. *Seizure and disposal of animals exposed or exhibited for obtaining or extorting alms.*—(1) Any police officer or other person effecting under sub-section (1) of section 4 the arrest of a person who was found begging may seize any animal the sore, wound, injury, deformity or disease of which was exposed or exhibited by such person with the object of obtaining or extorting alms.

(2) The police officer or other person effecting the arrest may remove such animal to any infirmary appointed under section 6B of the Prevention of Cruelty to Animals Act, 1890 (XI of 1890), for detention therein pending its production before a Court.

(3) The court before which the person found begging is brought may direct that the animal shall be treated and cared for in such infirmary until it is fit for discharge or that it shall be sent to a pinjrapole, or, if the veterinary officer in charge of the area in which the animal is found or such other veterinary officer as has been authorised by the rules made under section 15 of the Prevention of Cruelty to Animals Act, 1890 (XI of 1890) certifies that it is incurable or cannot be removed without cruelty, that it shall be destroyed; and the court may also order that, after release from the infirmity, the animal may be confiscated.

(4) An animal sent for care and treatment to an infirmary shall not, unless the court directs that it shall be sent to a pinjrapole or that it shall be destroyed, be released from such place except upon a certificate of its fitness for discharge issued by the veterinary officer in charge of the area in which the infirmary is situated or such other veterinary officer as has been authorised by rules made under section 15 of the Prevention of Cruelty to Animals Act, 1890 (XI of 1890).

31. *Offences to be cognizable and non-bailable.*—The offences under sections 6 and 11 of this Act shall be cognizable and non-bailable.

32. *Persons to be deemed public servants.*—All persons empowered to perform any function by this Act shall be deemed to be public servants within the meaning of the Indian Penal Code. (XLV of 1860).

33. *Bonds taken under Act V. of 1898.*—The provisions of Chapter XLII of the Code of Criminal Procedure, 1898 (V of 1898), shall, so far as may be, apply to bonds taken under this Act.

34. *Appeals.*—For the purposes of appeal and revision under the Code of Criminal Procedure, 1898 (V of 1898) an order of detention under this Act (including an order of detention under section 5), shall be deemed to be a sentence of imprisonment for the same period.

35. *Rules.*—(1) The Chief Commissioner may by notification in the *Delhi Gazette*, and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner of authorizing a purpose under clause (i) of sub-section (1) of section 2;
- (b) the manner of keeping persons arrested under sub-section (3) of section 4 or section 9;
- (c) the manner of making summary inquiry under sub-section (1) of section 5;
- (d) the manner in which contribution for the maintenance of a person detained in a Certified Institution may be ordered to be paid under sub-section (1) of section 8;
- (e) the manner of appointing a visiting committee under section 14;
- (f) the conduct of business by the Advisory Committee;
- (g) the date before which payment shall be made under sub-section (1) of section 16;
- (h) the manner in which the effects and the money and valuables referred to in section 18 shall be disposed of;
- (i) the management and discipline of persons detained in a Receiving Centre or Certified Institution including the imposition of manual or other work and the awarding of punishment for breach of any rule made under this clause;
- (j) the conditions subject to which the Chief Inspector may direct transfers under section 21;
- (k) the conditions subject to which a person may be released on licence under section 22;
- (l) the conditions subject to which a licence may be revoked under section 23;
- (m) the manner of medical examination of beggars;
- (n) any other matter which is required to be or may be prescribed.

(3)

36. *Removal of difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the Chief Commissioner may by order published in the *Official Gazette* make such provision or give such direction as appears to it to be necessary for removing the difficulty.

[No. F. 3/8/59-Judl.II.]

[U. T. L. 24.]

K. R. PRABHU, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 26th April 1960

G.S.R. 639.—In exercise of the powers conferred by the Proviso to article 309 of the Constitution, the President hereby makes the following amendments to the Central Passport and Emigration Organisation (Initial Constitution and Maintenance) Rules, 1959, published with the notification of the Government of India in the Ministry of External Affairs No. GSR-564 dated the 11th May, 1959, namely:—

In the said rules, in Chapter V,—

- (1) in sub-rule (1) of rule 14, for the words "of the Ministry of External Affairs" the words, letter, brackets and figures "referred to in sub-rule (1) of rule 14A" shall be substituted; and for the words "of that Ministry" the words, letter, brackets and figures "referred to in sub-rule (2) of rule 14A" shall be substituted; and

(ii) after rule 14, the following rule shall be inserted, namely:—

"14A. Departmental promotion Committee:—(1) The Senior Departmental Promotion Committee in respect of promotions to Grade I, II and III shall consist of —

- (i) The Joint Secretary (Administration) in the Ministry of External Affairs;
 - (ii) The Joint Secretary in charge of Passport and Emigration work in the Ministry of External Affairs; and
 - (iii) two other senior-most Joint Secretaries in the Ministry of External Affairs.
- (2) The Junior Departmental Promotion Committee in respect of promotions to other grades shall consist of —
- (i) The Deputy Secretary in charge of Passport and Emigration work and Chief Passport Officer in the Ministry of External Affairs;
 - (ii) three other Deputy Secretaries and one Under Secretary in the Ministry of External Affairs nominated by the Foreign Secretary".

[No. GSR CPEO/9/60.]

D. S. KHOSLA, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY
(Department of Company Law Administration)

New Delhi, the 3rd June 1960

G.S.R. 640.—In exercise of the powers conferred by the proviso to sub-section (1) of section 594 of the Companies Act, 1956 (1 of 1956), and in partial modification of the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) S.R.O. 3216 dated the 4th October, 1957, the Central Government hereby directs that in the case of the foreign company, namely, Messrs. Pilkington Brothers Limited (hereinafter referred to as the company), the requirements of clause (a) of sub-section (1) of section 594 shall apply subject to the following exceptions and modifications, namely:—

It shall be deemed to be sufficient compliance with the provisions of clause (a) of sub-section (1) of the said section 594—if, in respect of the period after the 31st December, 1956, the company submits annually to the appropriate Registrar of Companies in India, *in triplicate*.—

- (i) a duly audited statement of the income and expenditure relating to the business transactions of the company's Indian branch, signed by two directors of the company and a person authorised to accept service of process in India under clause (d) of sub-section (1) of section 592 of the Companies Act, 1956;
- (ii) a statement of its assets and liabilities certified by the above-mentioned persons;
- (iii) a certificate, signed by the above-mentioned persons to the effect that for the period covered by the statement in clause (i) above, the company did not carry on any business in India other than acting as the selling agent for the company and for the Hindustan-Pilkington Glass Works Limited, Calcutta; and
- (iv) a certificate signed as in clause (i) above to the effect that the company has been exempted from the obligation to file accounts with the Registrar of Companies in the country of its incorporation, namely, the United Kingdom.

[No. 15/15/60-PR.]

K. M. HANBARHATTY, Deputy Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS**(Department of Transport)****(Transport Wing)****PORTS***New Delhi, the 2nd June 1960*

G.S.R. 641.—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following amendment to the Cochin Harbour Craft Rules, 1947 the same having been previously published as required by sub-section (2) of the said section, namely:—

In sub-rule 3 of rule 29 of the said Rules, for the expression "31st December, 1950", the expression "31st December, 1956" shall be substituted.

[File No. 6-P.G.(7)/60.]

Miss I INDIRA, Under Secy.

MINISTRY OF STEEL, MINES & FUEL**(Department of Mines & Fuel)***New Delhi, the 4th June 1960*

G.S.R. 642.—In exercise of the powers conferred by clause (e) of section 3 of the Mines and Minerals (Regulation and Development) Act, 1957, (67 of 1957), the Central Government hereby declares "stones used for making household utensils" to be a minor mineral.

[No. MII-159(11)/59.]

B. N. RAMAN, Deputy Secy.

COLLECTORATE OF CUSTOMS AND CENTRAL EXCISE, COCHIN**CENTRAL EXCISE***Cochin, the 1st May 1960*

G.S.R. 643.—In exercise of the powers conferred by Rule 5 of the Central Excise Rules, 1944, I hereby empower the Central Excise Officers specified in column 2 of the subjoined table, to exercise within their respective jurisdictions, the powers of a Collector under the provisions of the said Rules shown against each Officer in column 3 of the table, subject to the restrictions and limitations set out in column 4 thereof.

TABLE

Sl. No.	Rank of Officer	Central Excise Rules	Restrictions and limitations
(1)	(2)	(3)	(4)
1.1	Assistant Collector	9	
1.2	Do. . . .	12 Proviso	To disallow the whole or any part of a claim for rebate.
1.3	Do. . . .	12-A	
1.4	Do. . . .	13	} To relax the time limit for exportation and presentation of duplicate A.R. 49.
1.5	Do. . . .	14	
1.6	Do. . . .	14-A	} In any individual case where the duty involved does not exceed (Rupees Two hundred and fifty.)
1.7	Do. . . .	27-(4)	
1.8	Do. . . .	75	
1.9	Do. . . .	93(b)	
1.10	Do. . . .	96-K	

(1)	(2)	(3)	(4)
1·11	Asstt. Collector . . .	145	To grant extension of ware-housing for a period not exceeding one year as per clause (a) of the first proviso to Rule 145.
1·12	Do. . . .	147	Where the duty involved in each individual case does not exceed Rs. Two hundred and fifty.
1·13	Do. . . .	183	
1·14	Do. . . .	192	Fixing the cost of supervisory staff is excluded.
1·15	Do. . . .	197	
	Do. . . .	199, 200	
1·16	Do. . . .	210-A	Where the Value of the goods does not exceed Rupees Five thousand.
1·17	Do. . . .	230	
2·1	Superintendent . . .	9	To accord permission to open and maintain an account current in the name of the Collector in so far as it relates to Vegetable Non-essential oil manufacturers.
2·2	Do. . . .	12 Provisos (iii) & (vii).	
2·3	Do. . . .	71(3)	
2·4	Do. . . .	92-A	
2·5	Do. . . .	96-O	Under sub-rule (4) of Rule 96-O, in respect of cases where the delay in presenting the A.S.P. is not more than 15 days.
2·6	Do. . . .	96-Q(2)	Provided the delay in filing A.R. 7 and or making weekly deposits is not more than five days.
2·7	Do. . . .	197	
2·8	Do. . . .	199, 200	
2·9	Do. . . .	210-A	Where the value of goods does not exceed Rupees One thousand.
2·10	Do. . . .	212	Destruction of confiscated tobacco not exceeding 25 in standard maunds in each case, which, due to its deteriorated conditions fails to attract bidders to purchase it either on payment of duty or for rewarehousing.
2·11	Do. . . .	224(1)	
3·1	Inspector . . .	197	
3·2	Do. . . .	199, 200	
4·1	Sub-Inspector . . .	144	
4·2	Do. . . .	197	
4·3	Do. . . .	199, 200	
5·1	Licensing Authority	43	
5·2	„ . . .	44	
5·3	„ . . .	46	
5·4	„ . . .	47(3)	
5·5	„ . . .	48	

(1)	(2)	(3)	(4)
5.6	Licensing Authority .	57(b)	
5.8	„ .	180	
5.7	The Officer who originally accepts a bond under Rules 140 and 164 .	155	
5.9	Officer competent to adjudicate an offence under the Central Excise and Salt Act, 1954 and Central Excise Rules, 1944.	206(3)	Bond in form B-II (sec.) may be accepted by the Superintendent concerned.
5.10	Class IV Officers .		Powers under Rule 200 shall not be exercised by an officer below the rank of Sub-Inspector in respect of manufactured products, unless he is posted to a factory manufacturing such products and except within the premises and in the immediate neighbourhood of such factory.

[No. I/TX.]

G.S.R. 644.—In exercise of the powers conferred on me by Rule 50 of the Central Excise Rules, 1944, I hereby direct that no manufacturer of excisable goods shall remove from his licensed premises any non-excisable goods produced in such premises or any intermediate or residual products in the factories as shown against each commodity in the adjoined table without the permission of the Central Excise Officer in-charge of the factory.

2. Any manufacturer desiring to remove any such non-excisable product shall, prior to the removal of the products from the factory and well in advance, present a gate pass in duplicate to such officer.

TABLE

Serial No.	Name of Commodity	Name of non-excisable goods and intermediate and residual products in the factory
(1)	(2)	(3)
1	Cotton fabrics	Non-excisable yarn, fabrics other than excisable.
2	Rayon or Art Silk fabrics	Non-excisable fabrics and non-excisable yarn.
3	Woollen fabrics	Hosiery and non-excisable fabrics and non-excisable yarn.
4	Vegetable product	Refined oil, Fats, Vegetable Tallow, Soft and Hard Acid Oil, Soap-stick, Spent earth.
5	Sugar	Cane juice, syrup, Massequite, Brown Rudi lump and scrap sugar, Molasses both light and heavy.
6	Vegetable Non-essential Oil	Sediments, Press mud.
7	Footwear	Leather and rubber soles, heels cleared in packages of the type in which footwear is cleared.

(1)	(2)	(3)
8	Paints and varnishes	All non-excisable commodities identifiable as such, i.e., lighting speed, polishing bars, thinners, turpentine, metal polishes, printing inks, bolt paste, case in blue, eclenders such as Alumina Hydrate and gloss white, Taluedine red light and red dark wood preservative, phenyle, Linseed Oil, Turpentine oil, carbon black, red oxide, denatured spirit etc.
9	Mineral oil	Bitumen and light petroleum gas.
10	Electric fans	Non-excisable fans, i.e., industrial fans, Transformers oil cooled looms, switched for electric motors, blades, guards and stands.
11	Electric batteries	Dummy batteries.
12	Cement	Clinker.
13	Soap	Nigger.
14	Power Alcohol	Absolute alcohol.
15	Electric lighting bulbs and fluorescent lighting tubes.	Glass shell, Boynet caps.
16	Motor cars	Non-excisable motor cars, chassis and engines.
17	Rayon and synthetic fibre	Non-excisable yarn.

[No. 2/TX.]

C. T. A. PILLAI, Collector.

MINISTRY OF HEALTH*New Delhi, the 31st May 1960*

G.S.R. 645.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the Rules published with the Notification of the Government of India in the Ministry of Health No. G.S.R. 93, dated the 6th January, 1960, on pages 157-159 of the Gazette of India, Part II, Section 3—Sub-Section (i), Dated the 23rd January, 1960, namely:—

In the schedule appended to the said Rules under column 7 thereof,

1. "Under the heading 'Essential' in item 1, the words, 'or a certificate issued after one year's training' shall be omitted.
2. Under the heading 'Desirable' the following items shall be inserted, namely:—
2. Russian.
3. Science degree especially, Biological Sciences."

[No. F. 38-101/58-Estt.]

B. S. SRIKANTIAH, Deputy Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY*New Delhi, the 11th June 1960*

G.S.R. 651.—The following draft of certain further amendment to the Explosives Rules, 1940, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884 (4 of 1884) is published as required by section 18 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 30th June, 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Explosives (Amendment) Rules, 1960.

2. In the said Explosives Rules 1940:—

In license Form 'G' in Schedule V for the proviso (iv) to condition 2, the following shall be substituted, namely:—

"(iv) that a copy of the pass issued with each consignment is forthwith sent to the authority granting the licence, the Superintendent of Police of the District where the consignor's licenced premises are situated, and (in cases where the explosives are being transported to a place beyond the local limits of the jurisdiction of such authorities) also to the District Authority and the Superintendent of Police in whose jurisdiction the place to which the consignment is sent is situated".

[No. S&PII-3(17)/58.]

(Central Boilers Board)

New Delhi, the 1st June 1960

G.S.R. 646.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In the said Regulations,

(1) the sub-heading 'Repairs to welded seams after radio-graphical examination' above regulation 266 shall be omitted;

(2) for clause (e) of regulation 267, the following clause shall be substituted, namely:—

"(e) For this heat treatment, the drum shall be placed in a furnace sufficiently large to accommodate the whole drum. The furnace shall have proper means of temperature measurement and control and shall be capable of heating the whole of the drum to a uniform temperature. It shall be so designed as to prevent direct impingement of a flame on the drum. The temperature of the furnace at the time the drum is placed in it, shall not be higher than 300°C. The furnace shall be slowly raised to a temperature between 600°C and 650°C and the drum shall remain until it has uniformly reached this temperature. Such temperature shall be sustained for a period of not less than 2½ minutes per mm. plate thickness but shall, in no case, be less than 30 minutes. The drum may be allowed to cool in the furnace but, if withdrawn, shall be screened from draughts while cooling."

[No. S&PII/BL-9(10)/58.]

New Delhi, the 2nd June 1960

G.S.R. 647.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of Section 31 of the said Act, namely:—

(1) These Regulations may be called the Indian Boilers (Amendment) Regulations, 1960.

(2) In the Indian Boiler Regulations, 1950, in regulation 504, after the first para (including the table), the following para shall be inserted, namely:—

"For all assembled sections the Hydraulic Test Pressure shall be not less than 1½ times the working pressure."

[No. S&PII/BL-9(8)/59.]

G.S.R. 648.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boiler Regulations, 1950, the same

having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In the said regulations, in regulation 4, in sub-clause (iv) of clause (c), the following paragraph shall be inserted at the end, namely:—

"In case where the original certificate from well known steel makers in form IV is not produceable, owing to such certificate containing details of plates used for other purposes also, an extract from the original certificate duly signed by the makers of the boiler and countersigned by the Inspecting Authority shall be acceptable in lieu of the certificate in form IV, provided all information required in form IV are furnished in the extract."

[No. S&PII-BL-9(17)/59.]

G.S.R. 649.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following further amendments in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In the said Regulations—

(1) for clause (d) of regulation 316, the following clause shall be substituted, namely:—

"(d) When two or more boilers are connected to a common steam main and there are no combined stop and isolating valves fitted to them, an automatic isolating valve shall be fitted between each boiler stop valve and the steam main.

In the case of boilers fitted with welded pipe work, fitting of an independent automatic isolating valve shall be compulsory."; and

(2) In clause (b) of regulation 396, the following words, figures and brackets shall be added at the end, namely:—

"In the case of welded pipe work, however, if a vent pipe of not less than 2" internal diameter (bore) is fitted between the main stop valve and the intermediate stop valve on the steam main and between the feed check valve and intermediate check valve on the feed line, this Regulation shall be considered to have been complied with, provided such vent pipes are fitted with bolted-on blank flanges and the flanges are removed so as to effectively discharge any leakage steam or water to the atmosphere when the valves on either side of it have been closed."

[No. S&PII-BL-9(18)/58 Parts 2 and 3.]

G.S.R. 650.—In pursuance of clause (dd) of regulation 2 of the Indian Boiler Regulations, 1950, the Central Boilers Board hereby recognises the following as authorities competent to issue certificates to welders for the purposes of Regulation 4(b) (ii) of the said Regulations, namely:—

1. Chief Inspector of Boilers, Assam.
2. Chief Inspector of Boilers, West Bengal.
3. Chief Inspector of Boilers, Bihar.
4. Chief Inspector of Steam Boilers, Bombay.
5. Chief Inspector of Boilers, Madhya Pradesh.
6. Chief Inspector of Boilers, Delhi.
7. Chief Inspector of Steam Boilers, Madras.
8. Chief Inspector of Boilers, Punjab (I).
9. Chief Inspector of Boilers, Uttar Pradesh.
10. Chief Inspector of Boilers, Andhra Pradesh.
11. Chief Inspector of Boilers, Orissa.
12. Chief Inspector of Boilers, Mysore.
13. Chief Inspector of Boilers, Rajasthan.
14. Chief Inspector of Boilers, Kerala.

[No. S&P. II/BL-304(16)/55.]
SOM DATT, Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 1st June 1960

G.S.R. 652.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments in the Coal Mines Labour Housing and General Welfare Fund (recruitment to certain posts) Rules, 1959—

In the Schedule to the said rules, against item 5 (relating to the Assistant Secretary to the Coal Mines Welfare Commissioner) under column 11 after entry (ii), the following entry shall be inserted, namely:—

“(iii) Accountant.”

[No. MIL.7(91)59.]

New Delhi, the 2nd June 1960

G.S.R. 653.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments to the Mines Department Class I and Class II Posts Recruitment Rules, 1959, published in the Ministry of Labour and Employment notification number G.S.R. 1308 dated the 19th November, 1959, namely:—

1. These rules may be called the Mines Department Class I and Class II posts Recruitment (Amendment) Rules, 1960.
2. In sub-rule (1) of rule 1 of the Mines Department Class I and Class II posts Recruitment Rules, 1959 (hereinafter referred to as the said rules), for the words “The Mines Department Class I and Class II Posts Recruitment Rules,” the words “the Office of the Chief Inspector of Mines Class I and Class II Posts Recruitment Rules” shall be substituted.
3. In the Schedule to the said rules against item 14, in column 7, to the existing entry the following entry shall be substituted, namely:—

‘Essential:

- (i) Master’s or equivalent Honours Degree in Statistics, or Mathematics or Economics or Commerce with Statistics as subject of recognised University or Degree of recognised University with Mathematics or Statistics as subject, and two years’ postgraduate training in Statistics at recognised institution.
- (ii) About two years’ experience of work connected with problems of Applied Statistics or Applied Economics involving use of Statistical methods.’

[No. F. 8/2/60-MI.]

B. R. KHANNA, Under Secy.

New Delhi, the 3rd June 1960

G.S.R. 654.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules relating to recruitment to the posts of Chief Research Officer, Research Officer and Investigator Grade I belonging to the joint cadre in the Ministry of Labour and Employment, namely:—

1. Short title.—These rules may be called the Chief Research Officer, Research Officer and Investigator Grade I (Ministry of Labour and Employment) Recruitment Rules, 1960.

2. Application.—These rules shall apply to the posts of Chief Research Officer, Research Officer and Investigator Grade I belonging to the joint cadre in the Ministry of Labour and Employment.

3. Classification, Scale of pay, etc.—The classification of the said posts, the scales of pay attached thereto, age limit, qualifications and other matters relating to the said posts shall be as specified in the Schedule annexed to these rules.

4. Disqualification.—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living, shall be eligible for appointment to any of the said posts.

Provided that the Government of India may after being satisfied that there are special grounds for doing so, exempt for reasons to be recorded in writing, any such candidate from the operation of this rule.

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Recruitment Rules for the Post of Chief Research Officer, Research Officer

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or Non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
1. (a) Chief Research Officer, Labour Bureau Simla.	2	G.C.S. Class I Gazetted	Rs. 600—40—1000.	Selection	N.A.	<p><i>Essential</i></p> <p>1. At least 2nd Class Master's or equivalent Hons. degree in Economics, Statistics, Commerce or social work of a recognised University, or Mathematics with Statistics.</p> <p>2. At least 5 years experience in conducting investigations on socio-economic problems and preparing notes and reports thereof.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p> <p><i>Desirable</i></p> <p>1. About 5 years experience in conducting investigation relating to labour problems.</p> <p>2. Experience in the working of Labour welfare Schemes.</p>
(b) Chief Research Officer, Labour Research Organisation, New Delhi.						

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n Ministry of Labour and Employment and Investigator Grade I.

Whether age and Educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of Probation if any	Method of recruitment. Whether by direct recruitment, or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/transfer grades from which promotion to be made	If a D.P.C. exists what is its composition	Circumstances in which U.P.S.C. is to be consulted in making recruitment
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8	9	10	11	12	13
N.A.	N.A.	100% Promotion	Research Officers with at least 5 year's Service in the grade.	Class I D.P.C.	As required under the rules.

1	2	3	4	5	6	7
2. (a) Research Officer (General)	15	G.C.S. Class I Gazetted	Rs. 350—350 380—380—30 590—EB—30 770—40—850	Selection	Below 35 years.	<p><i>Essential :</i></p> <ol style="list-style-type: none"> 1. At least 2nd Class Master's or equivalent Hons. Degree in Economics, Commerce or social work of a recognised University. 2. About 3 years experience in conducting investigation on socio-economic problems and preparing notes and reports thereon. <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p> <p><i>Desirable :</i></p> <ol style="list-style-type: none"> 1. About 3 years' experience in conducting investigation relating to labour problems. 2. Experience in the working of labour welfare schemes. <p><i>Essential :</i></p> <ol style="list-style-type: none"> 1. At least 2nd Class Master's degree or equivalent Hons. degree in Statistics, Mathematics with Statistics or social work of a recognised University. 2. About 3 years experience in conducting investigation on socio-economic problems and preparing notes and reports thereon. <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p>
(b) Research Officer (Statistics)		G.C.S. Class I (Gazetted)	Rs. 350—350 380—380—30 590—EB—30 770—40—850	Selection	Below 35 years.	

8	9	10	11	12	13
N.A.	One year	2/3 Direct 1/3 Promotion	Investigators Grade I with at least 3 year's Service in the grade.	Class I D.P.C.	As required under the rules.

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1	2	3	4	5	6	7
						<i>Desirable</i>
						1. About 3 years experience in conducting investigation relating to labour problems.
						2. Experience in the working of labour welfare schemes.
3. Investigators Grade I.	18	Class II Non-Gazetted, (Non-ministerial)	Rs. 275—25—500.	Selection	Below 30 years.	<i>Essential</i>
						1. At least second Class Master's or equivalent Hons. degree in Statistics, Mathematics with Statistics, Economics, Commerce or social work (with specialisation in labour problems.)
						2. About 2 years experience in the collection of data and their analysis in a recognised institution carrying on investigations in social and economic problems.
						(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.)
						<i>Desirable</i>
						1. Experience in handling statistics of production and labour in a manufacturing concern.
						2. Experience in conducting investigation relating to labour problems.

8	9	10	11	12	13
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N.A.	One year.	2/3 Direct 1/3 Promo- tion.	Promotion Investigators Grade II with at least 3 years service in the grade.	Class II D.P.C.	As required under the rules.
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[File No. 45/83/57-LWI-II]

B. R. SETH,
Dy. Secy.

New Delhi, the 3rd June 1960

G.S.R. 655.—In exercise of the powers conferred by section 15, read with clause (b) of section 2, of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby makes the following further amendments in the Industrial Employment (Standing Orders) Central Rules, 1946, the same having been previously published as required by sub-section (1) of the said section 15, namely:—

- (1) These rules may be called the Industrial Employment (Standing Orders) Central (Amendment) Rules, 1960.
 - (2) In the Industrial Employment (Standing Orders) Central Rules, 1946, in Schedule I.
- (1) after standing order 7, the following shall be inserted, namely:—

"7A Notice of change in shift working—

Any notice of discontinuance or of restarting of a shift working required by standing order 7 shall be in the Form appended to these orders and shall be served in the following manner, namely:—

The notice shall be displayed conspicuously by the employer on a notice board at the main entrance to the establishment and in the Manager's Office:

Provided that where any registered trade union of workmen exists, a copy of the notice shall also be served by registered post on the Secretary of such union."

- (2) after standing order 18, the following Form shall be inserted, namely:—

Form

.(See standing order 7A)

Notice of discontinuance/restarting of a shift working to be given by an employer

Name of employer.....

Address

Dated theday of 196 .

In accordance with standing order No.....of the standing orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure, with effect from.....

Signature.....

Designation.....

ANNEXURE

(Here specify the particulars of charge in the shift working proposed to be effected).

Copy forwarded to:—

- (1) The Secretary of registered trade Union, if any;
- (2) Conciliation Officer (Central), here enter office address of the Conciliation Officer in the local area concerned).
- (3) Regional Labour Commissioner (Central).....Zone.
- (4) Chief Labour Commissioner (Central) New Delhi."

G. JAGANNATHAN, Under Secy.

[No. LRI-21(4)/59-SOR.Am. III]

MINISTRY OF FINANCE
(Department of Revenue)

ESTATE DUTY

New Delhi, the 30th May 1960

G.S.R. 656.—In exercise of the powers conferred by sub-section (2) of section 1 of the Estate Duty (Amendment) Act 1958 (33 of 1958), the Central Government, hereby, appoints the 1st day of July, 1960, as the date on which the said Act shall come into force

Explanatory Note

(This note is not part of the notification but is intended to be merely clarificatory)

The Estate Duty (Amendment) Act, 1958 as passed by Parliament received the assent of the President on the 19th September 1958. The provisions of that Act could however, be given effect to only after the necessary resolutions under Article 252 of the Constitution had been passed by the State Legislatures. Sub-section (2) of Section 1 of the Act accordingly provided that the Act was to come into force on such date as the Central Government may, by notification in the official gazette, appoint. The necessary resolutions under Article 252 having since been passed, the Central Government have decided to bring the Act into force with effect from the 1st July, 1960.

[No 12 ED/F No 1/4/59-ED.]

JAMUNA PRASAD SINGH, J. Secy.

(Department of Revenue)

ESTATE DUTY

New Delhi, the 4th June 1960

G.S.R. 657—Whereas the Central Government is of opinion that circumstances are such that relief should be given in respect of the following class of property, namely, any property in respect of which tax has been paid under the Gift-tax Act, 1958 (12 of 1958) before the commencement of the Estate Duty (Amendment) Act 1958 (33 of 1958), and in respect of which estate duty has been levied under the Estate Duty Act 1953 (34 of 1953), by virtue of the inclusion of that property in the estate of the donor concerned as property passing under the said Estate Duty Act,

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 33 of the said Estate Duty Act, the Central Government hereby directs that any estate duty so levied by reason of payment of an amount equal to the amount of gift-tax paid in respect of any such property under the said Gift-tax Act

Explanatory Note

(This note is not part of the notification but is merely clarificatory)

Section 50A of the Estate Duty Act 1953 (34 of 1953) introduced by section 19 of the Estate Duty (Amendment) Act, 1958 (33 of 1958) provides that in cases where gift-tax has been paid in respect of any property and on same property is subjected to estate duty as part of the estate of the donor, credit shall be given for the amount of the gift-tax paid.

The Gift-tax Act 1958, came into force on the 1st April 1958. The provision of section 50A of the Estate Duty Act, 1953 along with other provisions introduced by the Estate Duty (Amendment) Act, 1958 will however, not be in effect only from the 1st July, 1960. By virtue of the Central Government notification No 12-ED/F No 1/4/59 ED dated the 30th May 1960 concerning any property gifted on or after 1-4-58 and included in the estate duty assessment of the donor, if completed before 1-7-60, becomes liable to gift-tax as well as estate duty. In order to give relief in such cases, the Central Government have decided to issue a notification under section 33(2) of the Estate Duty Act, 1953.

[No 13-ED/F No 1/7/59-ED.]

M B PALEKAR, Deputy Secy

(Department of Revenue)**CUSTOMS AND CENTRAL EXCISE***New Delhi, the 11th June 1960*

G.S.R. 658.—The following draft of a further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excise and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 23rd June, 1960.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1960.

2. In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, after Serial Number 33 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

“34. Iron Castings

Ten rupees per ton”.

[No. 51/F. No. 34/100/60. Cus-IV.]

G.S.R. 659.—The following draft of certain further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th July, 1960.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1960.

2. In the First Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules,—

(i) after Serial Number 3 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

“3A. Cigarettes in the manufacture of which foreign tobacco other than tobacco of Pakistan and Burma Origin, has been used

Ten rupees per pound of imported tobacco other than of Pakistan or Burma Origin, contained in the cigarettes:—

Provided that—

(a) drawback at this rate shall be paid in respect of only such cigarettes as have been manufactured by a person who has been registered for this purpose by the Chief Customs Officer in whose jurisdiction such cigarettes are manufactured; and

(b) the quantity of foreign tobacco other than tobacco of Pakistan and Burma Origin, contained in the cigarettes being exported,

is established to the satisfaction of the Customs Collector”;

- (ii) after Serial Number 6 and the entries relating thereto the following Serial Numbers and entries shall be inserted, namely:—

“6A. Pipe or Cigarette tobacco in the manufacture of which foreign tobacco, other than tobacco of Pakistan and Burma origin has been used

Ten rupees per pound of imported tobacco, other than of Pakistan or Burma origin, contained in the pipe or cigarette tobacco:—

Provided that:—

- (a) drawback at this rate shall be paid in respect of only such pipe or cigarette tobacco as has been manufactured by a person who has been registered for this purpose by the Chief Customs Officer in whose jurisdiction such pipe or cigarette tobacco is manufactured;
- (b) the pipe or cigarette tobacco is manufactured under the supervision of Customs or Central Excise Officers;
- (c) the pipe or cigarette tobacco is packed in tamper proof, sealed containers, bearing on their outside detailed description of the goods; and
- (d) the quantity of foreign tobacco other than tobacco of Pakistan and Burma origin, contained in the pipe or cigarette tobacco being exported is established to the satisfaction of the Customs Collector.” and

- (iii) in the Third Schedule, after the entry “Customs and Central Excise Duties Drawback (Biscuits) Rules, 1958 the following shall be added, namely:—

“The Customs Duties Drawback (Cigarettes) Rules, 1955 The Customs Duties Drawback (Pipe and Cigarette Tobacco) Rules, 1957.”

[No. 50/F. No. 34/116/60-Cus-IV.]

G.S.R. 660.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

Amendment

1 These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1960.

2 In the First Schedule to the said Rules, for the existing entries against Serial Number 4, sub-para (D), the following shall be inserted, namely:—

“(D)(i) Tin containers exported filled; and tin containers exported empty, assembled or unassembled.

Rupees two hundred seventy-six and fifty naye paise per ton of tinplate content.

(ii) Tinplate washers

Rupees two hundred seventy-six and fifty naye paise per ton of tinplate content.

(iii) Components of mathematical instrumental boxes made of tinfoil.

Rupees two hundred seventy-six and fifty naye paise per ton of tinfoil content."

[No. 52/F. No. 34/78/60.Cus-IV.]

M. C. DAS, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 2nd June 1960

G.S.R. 661.—In exercise of the powers conferred by sub-section (1) of section 13 of the Central Sales Tax Act 1956 (74 of 1956), the Central Government hereby makes the following further amendment in the Central Sales Tax (Registration and Turnover) Rules, 1957, namely:—

In the said Rules,—in the proviso to sub-rule (1) of rule 12, for the figures, letters and word "30th September, 1960", the figures letters and word "30th September, 1961" shall be substituted.

[No. 52/F No. 34/78/60. Cus-IV.]

M. K. VENKATACHALAM, Deputy Secy

ERRATUM

The G.S.R. Nos 809 to 833 appearing in Issue No. 23 of the Gazette of India Part II—Section 3(i), dated 4th June, 1960 may be corrected to read as 609 to 633.